

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Centro Nueva Creacion

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number)
Lynn E. Rzonca of Ballard Spahr LLP (see attachment)
1735 Market Street, 51st Floor, Philadelphia, PA 19103
215-864-8109

DEFENDANTS

Jessica Mendez, Madeline Neris Negron, Victor Negron, Jose Benitez, Eunice Sanchez D/B/A "Goodlands of Kensington"

County of Residence of First Listed Defendant Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (if Known)
N/A

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

PTF	DEF	PTF	DEF
<input type="checkbox"/> 1 Citizen of This State	<input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
<input type="checkbox"/> 2 Citizen of Another State	<input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
<input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	PROPERTY RIGHTS	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	LABOR	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Injury	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 400 Other Civil Rights	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 441 Voting	SOCIAL SECURITY	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 890 Other Statutory Actions
		<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 891 Agricultural Acts
		<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 893 Environmental Matters
		<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 895 Freedom of Information Act
		<input type="checkbox"/> 448 Education	<input type="checkbox"/> 865 RSI (405(g))	
	REAL PROPERTY	CIVIL RIGHTS	IMMIGRATION	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:		
		<input type="checkbox"/> 540 Mandamus & Other		
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify) _____	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
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Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
the Lanham Act, Title 15 of the United States Code (Sections 43; 1114; 1125)

VI. CAUSE OF ACTION

Brief description of cause:
Trademark Infringement and Unfair Competition

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

400.00; *Invincion*

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/11/2017

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

Lynn E. Rzonca

RECEIPT #

AMOUNT

APPLYING IPP

JUDGE

MAG. JUDGE

CIVIL COVER SHEET

ATTACHMENT

Section 1(c)

Attorney of Record: Lynn E. Rzonca. Details provided in cover sheet.

Additional attorneys: Jenna M. Loadman of Ballard Spahr LLP

1735 Market Street, 51st Floor, Philadelphia, PA 19103

215-864-8302

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Centro Nueva Creacion	:	CIVIL ACTION
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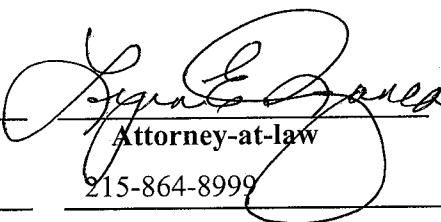
v.	:	
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Jessica Mendez, Victor Negron, Jose Benitez, Madeline Neris Negron, and Eunice Sanchez D/B/A "Goodlands of Kensington"	:	NO.
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In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

12/11/2017		Plaintiff - Centro Nuevo Creacion
Date	Attorney-at-law	Attorney for
215-864-8109	215-864-8999	rzoncal@ballardspahr.com
Telephone	FAX Number	E-Mail Address

Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track

(a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.

(b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

(c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.

(d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.

(e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the
Civil Justice Expense and Delay Reduction Plan)

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 185 W. Tioga Street, Philadelphia, PA 19104

See Attachment

Address of Defendant: Philadelphia, PA

Place of Accident, Incident or Transaction: Philadelphia, PA
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. *Federal Question Cases:*

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify) Trademark and Unfair Competition

B. *Diversity Jurisdiction Cases:*

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases

(Please specify) _____

DATE: December 11, 2017

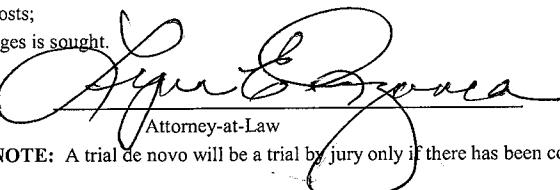
ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Lynne Rzonca, counsel of record do hereby certify:
 Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: December 11, 2017

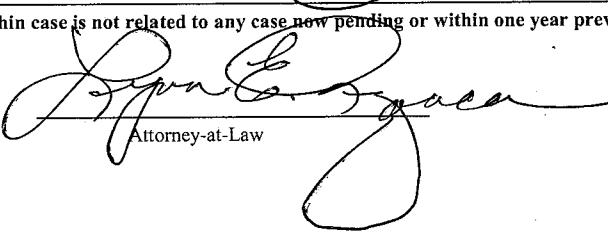

Attorney-at-Law

80747
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: December 11, 2017


Attorney-at-Law

80747
Attorney I.D.#

Attachment to Eastern District of Pennsylvania – Designation Form

Defendants' Address. Listed below are the last known addresses of the named Defendants in this case.ⁱ

1. Madeline Neris Negron: 968 Taylor Drive, Folcroft, PA 19032
2. Victor Negro: 968 Taylor Drive, Folcroft, PA 19032
3. Jose Benitez: 1917 N. Hope Street, Philadelphia, PA 19122
4. Eunice Sanchez: 6138 N. 6th Street, Philadelphia PA 19120

ⁱ The Plaintiff has been unable to identify an address for Ms. Jessica Mendez.

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

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Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

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Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. *Federal Question Cases:*

1. Indemnity Contract, Marine Contract, and All Other Contracts
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6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify) Trademark and Unfair Competition

B. *Diversity Jurisdiction Cases:*

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases

(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, _____, counsel of record do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: December 11, 2017

Attorney-at-Law

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

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DATE: December 11, 2017

Attorney-at-Law

Attorney I.D.#

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4. Eunice Sanchez: 6138 N. 6th Street, Philadelphia PA 19120

ⁱ The Plaintiff has been unable to identify an address for Ms. Jessica Mendez.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Centro Nueva Creacion,	:
	:
Plaintiff,	:
	:
v.	:
	:
Jessica Mendez, Madeline Neris Negron, Victor	:
Negron, Jose Benitez, and Eunice Sanchez	:
D/B/A "Goodlands of Kensington,"	CIVIL ACTION NO. _____
	:
Defendants.	JURY TRIAL DEMANDED
	:
	:

COMPLAINT FOR
TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION

INTRODUCTION

Since 1994, Centro Nueva Creacion, a Pennsylvania non-profit corporation ("Centro") has worked tirelessly to make a positive impact on the Philadelphia community and reduce the negative impact of neighborhood violence. As part of its efforts, in 2000 Centro established its flagship program: the GOODLANDS® project. The project empowers young people by teaching them skills in photography and the creative arts. The GOODLANDS® project provides opportunities for young people to express themselves through the arts, and it encourages them to positively influence the North Philadelphia community that has been stigmatized as the "Badlands." The Philadelphia "Badlands" is known for its recreational drug market and abundance of drug-related violence. The area's reputation has been countered most notably by Centro Nueva Creacion and its children's community programming offered under the mark GOODLANDS®. See Exhibit A, explanation of "the Badlands," specifically noting Centro's GOODLANDS® program. Since the GOODLANDS® program's inception, Centro has trained

over 800 children in photography and poetry. It has presented the children's work in over 20 public exhibitions throughout the city of Philadelphia and beyond. In 2006, Centro obtained a federal trademark registration for the mark GOODLANDS® covering "entertainment services, namely art exhibitions; educational services, namely offering classes and instruction in the fields of arts and photography" (U.S. Reg. No. 3,040,933).

Centro has established numerous strategic partnerships in the community, including with the School District of Philadelphia, Mural Arts Program, Bridging the Gaps, University of the Arts, Pennsylvania Academy of the Fine Arts, New Creation Lutheran Church, and St. Joseph's University. Centro's GOODLANDS® program has received praise and recognition in the community and in various media outlets such as Philly.com, Philadelphia Weekly, and Philadelphia Neighborhoods. Centro's extensive efforts in promoting the GOODLANDS® program in the Philadelphia community has resulted in its widespread recognition as a valuable program for the Philadelphia youth.

In early 2016, Centro learned that a North Philadelphia community organization, comprised of Defendants, was promoting itself as "The Goodlands of Kensington." Centro repeatedly requested, through letters, e-mail, telephone and in-person conversations, that the Defendants cease trading off the goodwill Centro established in the GOODSLANDS® mark. "The Goodlands of Kensington" organization refused and continues to refuse to cease use of the GOODLANDS® mark, forcing Centro to file this lawsuit to protect Centro's prior rights in the GOODLANDS® MARK.

NATURE OF THE ACTION

1. This is a trademark infringement and unfair competition action to stop Defendants' unlawful and unauthorized use of Centro's registered trademark GOODLANDS®.

JURISDICTION AND VENUE

2. This action arises under the Lanham Act, Title 15 of the United States Code, and, accordingly, jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1338(a).
3. Upon information and belief, the individual Defendants are Pennsylvania residents.
4. This Court has personal jurisdiction over the Defendants because, on information and belief, the Defendants have purposefully directed their infringing activities to this District, and have purposefully availed themselves of the laws of the Commonwealth of Pennsylvania.
5. This Court also has personal jurisdiction and venue over the Defendants because, on information and belief, the Defendants knew about Centro's ownership of the GOODLANDS® Mark when they adopted their program name, knew that Centro was located in this District, and have engaged in willful trademark infringement against Centro. As a competitor of Centro, the Defendants knew and intended that the brunt of the harm to Centro's reputation from their willful infringements would be felt in this District.
6. Venue is proper in the District under 28 U.S.C. § 1391 because both Plaintiff and Defendants reside in this District, and upon information and belief, and for the reasons set forth herein, a substantial part of the events and rights given rise to this action occurred in and exist in this District. Venue is convenient in this District, as many key documents and witnesses reside in or near this District.

THE PARTIES

7. Centro is a Pennsylvania non-profit corporation with its principal place of business at 185 W. Tioga Street, Philadelphia, PA 19104.

8. On information and belief, Jessica Mendez, Madeline Neris Negron, Victor Negron, Jose Benitez, and Eunice Sanchez are residents of Philadelphia, Pennsylvania and they operate as an unregistered organization known as "Goodlands of Kensington."

FACTS

9. Centro is a 501(c)(3) charitable non-profit organization, whose mission is to promote resiliency in young people through education, enrichment, and engagement with the arts and Latino culture.

10. Centro is the exclusive owner in the United States of the federally registered trademark GOODLANDS® (U.S. Reg. No. 3,040,933) for "entertainment services, namely, art exhibitions, education services, namely, offering classes and instruction in the fields of arts and photography." Registration certificate attached as **Exhibit B**.

11. The GOODLANDS® trademark registration issued January 10, 2006 and is valid, subsisting, and incontestable. 15 U.S.C. § 1065.

12. Centro has used the GOODLANDS® Mark in the United States since at least as early as August 3, 2001. Thus, for more than sixteen years, Centro has promoted and run its arts and other related programming in interstate commerce under its GOODLANDS® Mark.

13. The GOODLANDS® Mark is distinctive and strong and by virtue of its long and continuous use, the relevant consuming public exclusively associates youth programming under the GOODLANDS® name with Centro.

14. Upon information and belief, Defendants adopted the name "Goodlands of Kensington" for community programs whose goal is to shed positive light on the Philadelphia and Latino communities. Example of Defendants' use is attached as **Exhibit C**.

15. Defendant has been extensively promoting itself as "Goodlands of Kensington" as a community organization.

16. Upon information and belief, Defendants adopted and began using and are currently using the "Goodlands of Kensington" mark with full knowledge of Centro's prior and exclusive rights in the GOODLANDS® Mark and in an effort to borrow from the goodwill and reputation of the GOODLANDS® Mark.

17. Since 2016 Centro has made repeated attempts to ask that the Defendants cease and desist from using the mark "Goodlands of Kensington" through e-mail correspondence, telephone conferences, and an in-person meeting.

18. Defendants continued to use the mark "Goodlands of Kensington" despite being made aware of Centro's prior use and registration of the mark GOODLANDS®.

19. The "Goodlands of Kensington" mark is virtually identical to the GOODLANDS® Mark in appearance, sound and meaning, and is used for related services, is marketed to the same class of consumers in the same channels of trade.

20. Defendants' use of the "Goodlands of Kensington" mark is without the consent of Centro.

FIRST CLAIM FOR RELIEF

Federal Trademark Infringement Under the Lanham Act, 15 U.S.C. § 1114(1)(a)

21. Centro re-alleges and incorporates by reference the foregoing paragraphs of this Complaint as through set forth fully herein.

22. As the exclusive and continuous owner and user of the GOODLANDS® Mark since January 10, 2006, Centro possesses an incontestable federal trademark registration for the mark GOODLANDS®.

23. The Defendants are using the mark "Goodlands of Kensington," which is virtually identical to and/or confusingly similar to Centro's GOODLANDS® Mark. These acts and others constitute trademark infringement.
24. The Defendants' use of the "Goodlands of Kensington" mark is likely to cause confusion, mistake, and deception as to Centro's affiliation, connection and association with "Goodlands of Kensington", and as to the origin, sponsorship, or approval of Defendants' goods, services, and other activities.
25. Defendants' acts constitute trademark infringement in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.
26. Defendant have engaged and continue to engage in these activities knowingly, willfully, and in bad faith. Defendants' acts complained of herein have damaged Centro, and unless enjoined, will continue to damage and cause irreparable injury to Centro's reputation and goodwill. Centro has no adequate remedy at law.
27. Pursuant to 15 U.S.C. §1117(a), Centro is entitled to its costs.

SECOND CLAIM OF RELIEF

Common Law Trademark Infringement Under 15 U.S.C. § 1125(a)

28. Centro hereby re-alleges and incorporates all previous allegations of this Complaint.
29. As a result of Defendants' actions, Centro will be substantially and irrevocably injured if such actions are permitted to continue.
30. Centro has no adequate remedy at law.
31. Pursuant to 15 U.S.C. §1117(a), Centro is entitled to its costs.

THIRD CLAIM OF RELIEF

Unfair Competition Under § 43(a) of the Lanham Act

32. Centro hereby re-alleges and incorporates all previous allegations of this Complaint.

33. Defendants' use of the "Goodlands of Kensington" mark constitutes unfair competition in that such activities create the likelihood that members of the relevant public will be confused into mistakenly believing that this use and Defendants and their "Goodlands of Kensington" services are in some manner associated or connection with Centro, its GOODLANDS® Mark and services provided under the GOODLANDS® Mark.

34. Defendants' conduct complained of herein was and is intentional and willful. Defendants' acts complained of herein have damaged Centro and, unless enjoined, will continue to damage and cause irreparable injury to Centro's reputation and goodwill. Centro has no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Centro respectfully requests that the Court grant judgment for Centro and against the Defendants as follows:

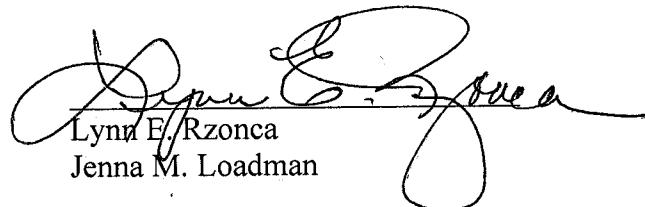
35. Find and decree that the Defendants have infringed, and continue to infringe, the GOODLANDS® Mark;
36. Find and decree that Defendants' use of the "Goodlands of Kensington" mark constitutes unfair competition § 43(a) of the Lanham Act;
37. Permanently enjoin the Defendants from using the infringing mark "Goodlands of Kensington";
38. Declare that this case is exceptional under 15 U.S.C. §1117 and award Centro its costs and;
39. Award Centro such further relief as this Court deems just and proper.

JURY DEMAND

Centro hereby demands, pursuant to Fed. R. Civ. P. 38, a trial by jury of all issues so triable.

Dated: December 11, 2017

Respectfully submitted,



Lynn E. Rzonca
Jenna M. Loadman

BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
Tel.: 215-665-8109
Fax: 215-864-8999

Attorneys for Plaintiff Centro Nuevo Creacion

EXHIBIT A

WIKIPEDIA

Coordinates: 39°59'46"N 75°08'10"W

Philadelphia Badlands

We ask you, humbly, to help.

Hi reader in the U.S., it seems you use Wikipedia a lot; that's great! It's a little awkward to ask, but this Friday we need your help. It's December 8 and time is running out to help in 2017. We're not salespeople. We're librarians, archivists, and information junkies. We depend on donations averaging \$15, but fewer than 1% of readers give. If you donate just \$3, the price of your Friday coffee, Wikipedia could keep thriving. Thank you. — Jimmy Wales, Wikipedia Founder



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The Philadelphia Badlands is a section of North Philadelphia, Pennsylvania, United States, that is known for an abundance of open-air recreational drug markets and drug-related violence.^[1] It has amorphous and somewhat disputed boundaries, but is generally agreed to include the 25th police district.^[2]

Usually, it is widely understood to be an area between Kensington Avenue to the east and Broad Street to the west, and between Hunting Park Avenue to the north and York Street to the south, mostly coinciding with the neighborhoods of Fairhill, Glenwood, Hunting Park, Harrowgate, Stanton, North Central, West Kensington, Hartranft, and Kensington.

The term *The Badlands* was popularized in part by the novel *Third and Indiana* by then *Philadelphia Inquirer* columnist Steve Lopez.^[1] The neighborhood also was featured in several episodes of ABC's *Nightline*. The intersection of 3rd Street and Indiana Avenue was listed number two in a 2007 list of the city's top ten drug corners according to an article by *Philadelphia Weekly* reporter Steve Volk.^[3]

The term *Badlands* was first used by Lt. John Gallo, who headed the East Division Narcotics Task Force. Its use spread, with many people attempting to take credit for the moniker. It was Gallo's work along with ASAC Billy Retton that worked about a dozen long-term investigations in the 25th and 26th Police Districts that preceded "Operation Sunrise". Open-air drug sales changed completely after this. Ted Koppel, Geraldo Rivera, *20-20* and *48 Hours* all rode with Gallo at one time or another, and it was during this time that Gallo was able to make the name stick.

At one time a center of heavy industry, much of the Badlands' urban landscape is now characterized by vacant warehouses and tightly-packed strips of brick row houses constructed for the working class of the neighborhood. Like most industrial cities, Philadelphia suffered economic decline following the movement of industry to developing countries and has suffered as a result.

The Philadelphia Badlands contain a diverse mix of ethnicities. Puerto Ricans are the largest group,^{[4][5][6][7]} but the area also contains large populations of Black Americans, Irish Americans, and Dominicans. The area encompasses El Centro de Oro, the heart of Philadelphia's Puerto Rican community. The term "Badlands" sometimes refers to the area's high concentration of street gangs of various ethnicities, and its abundance of open-air drug dealing and heavy users of drugs, especially heroin and cocaine.^[8] Although much of the area's crime stems from local neighborhood-based street gangs and the drug trade, larger, more organized gangs also operate in the area, including the Black Mafia, Latin Kings, and various motorcycle gangs.^[9]

Aside from less-organized gang activity, the Badlands is also known as the founding location and current turf of the Irish-American organized crime group known as the K&A Gang (also known as the Northeast Philly Irish Mob). Irish Americans constitute more than 12% of the population of the Badlands.^[9]

The area's reputation has been countered by community activists and nonprofit organizations such as Centro Nueva Creación, which in 2010 conducted a summer children's program, "The Goodlands Photographers", aimed at helping young people photograph and display positive images of their neighborhood.^[2]

See also

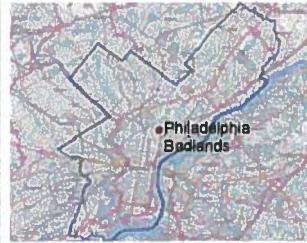
- [History of Philadelphia](#)

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Philadelphia Badlands

Neighborhood of Philadelphia



Coordinates:

Country	United States
State	Pennsylvania
County	Philadelphia County
City	Philadelphia
Area code(s)	Area code 215

9. Celano, Donna; Susan B. Neumann (2012). *Giving Our Children a Fighting Chance: Poverty, Literacy, and the Development of Information Capital* (<https://books.google.com/books?id=nEcWNu0EmkoC&pg=PA13&dq=badlands+irish+philadelphia&source=bl&ots=Z6AOuPKTsN&sig=spsxk0FLksUe9Bd6LpHywyQPNlc&hl=en&sa=X&ei=ikppU-REcWmyATFv4HoCA&ved=0CQhQ6AEwCA#v=onepage&q=badlands%20irish%20philadelphia&f=false>). Teachers College Press. p. 13. Retrieved May 6, 2014.

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EXHIBIT B

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,040,933

Registered Jan. 10, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

GOODLANDS

CENTRO NUEVA CREACION (PENNSYLVANIA
CHARITABLE, NON-PROFIT CORPORATION)
162 W. TIOGA STREET
PHILADELPHIA, PA 191404638

FOR: ENTERTAINMENT SERVICES, NAMELY
ART EXHIBITIONS; EDUCATIONAL SERVICES,
NAMELY OFFERING CLASSES AND INSTRU-
CTION IN THE FIELDS OF ARTS AND PHOTOGRA-
PHY, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 8-3-2001; IN COMMERCE 8-3-2001.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-508,991, FILED 11-1-2004.

RON FAIRBANKS, EXAMINING ATTORNEY

EXHIBIT C



Madeline Neris Negron

4 hrs • Philadelphia, Pennsylvania • 

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Good Lands of Kensington



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Subcategory Field:

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